

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

JARRETT M. JAMES,

Plaintiff,

v.

DARRIN ZIMMERMAN,

Defendant.

ORDER

07-cv-563-jcs

On March 11, 2008, I considered plaintiff's request for leave to proceed in forma pauperis on appeal and concluded that he had not accrued three strikes under 28 U.S.C. § 1915(g) and that his appeal was not taken in bad faith. I concluded also that plaintiff was required to pay an initial partial payment of the filing fee for his appeal, but that I could not calculate the amount of the payment because plaintiff had not submitted a certified copy of his trust fund account statement for the six-month period immediately preceding the filing of his notice of appeal as required by 28 U.S.C. § 1915(a)(2).

Plaintiff has now submitted a certified copy of his trust fund account statement for four of the six months preceding March 3, 2008, the date he filed his appeal. From this statement, I conclude that he qualifies for indigent status, and that he must pay an initial

partial payment to the clerk of this court in the amount of \$2.96.

ORDER

IT IS ORDERED that plaintiff Wield may have until April 5, 2008, in which to submit a check or money order made payable to the Clerk of Court in the amount of \$2.96 as an initial partial payment of the fee for filing his appeal. The remainder of the \$455 fee must be paid in monthly installments according to 28 U.S.C. § 1915(b)(2).

If, by April 5, 2008, plaintiff fails to pay the initial partial payment, I will notify the court of appeals so that it may take whatever action it deems appropriate with respect to this appeal.

Entered this 21st day of March, 2008.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge